

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

**THE HON'BLE SAYEED AHMED BABA, OFFICIATING CHAIRPERSON AND ADMINISTRATIVE MEMBER,
Case No. – OA 350 of 2023**

BIJOY LAKSMI PAL - Vs - THE STATE OF WEST BENGAL & OTHERS.

Serial No. and

Date of order

03

09.10.2023

For the Applicant : Mr.Indradeep Pal
Advocate

For the State Respondents : Mr. Sankha Ghosh
Advocate

For the Principal Accountant : Mr.Biswanath Mitra
General (A&E) West Bengal (Departmental Representative)

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5 (6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsels and the learned Departmental representative for the contesting parties, the case is taken up for consideration sitting singly.

This application has been filed praying for family pension in favour of the applicant after the death of her husband, Amal Krishna Sutradhar on 16.09.2017. It appears from the submission of the learned counsels and the records in this application that due to a difference in the surname of the applicant, such proposal for family pension was not processed in the name of the applicant. The difference appears to be her surname which was recorded as 'Sutradhar' in the nomination papers as well as P.P.O. of her deceased husband. But in all other documents her surname has been recorded as 'Pal', "Bijoy Laksmi Pal" and not "Bijoy Laksmi Sutradhar". By a letter dated 26.02.2021, the respondent, General Manager, District Industries Centre, Howrah had asked the applicant to submit all her relevant documents to substantiate that she being "Bijoy Laksmi Sutradhar alias Pal" is same and identical person

and wife of the deceased employee, Amal Krishna Sutradhar. Submitting on behalf of the applicant, learned counsel, Mr.I.Pal, states that all relevant documents as was asked for have been submitted, but till date her family pension has not been sanctioned.

Mr.B.Mitra, learned Departmental representative submits that in the P.P.O. of the deceased employee and other service papers, the widow's name has been recorded all along as "Bijoy Laksmi Sutradhar".

Appearing on behalf of the respondent authorities, Mr.S.Ghosh, learned counsel submits that if a direction is given, the same will be complied by following the extant rules.

From the submissions of the learned counsels and the records, it is clear to the Tribunal that Bijoy Laksmi Pal and Bijoy Laksmi Sutradhar are the same and identical person. It appears that due to ignorance or negligence of the deceased employee, such difference in surname was not rectified. Although, Sutradhar has been the surname in the service papers, but in other documents like Aadhaar Card, instead of 'Sutradhar', surname of 'Pal' has been recorded. To establish that the names Sutradhar and Pal are the same, she has also affirmed an affidavit before the learned Judicial Magistrate 1st Class, Burdwan. Similarly a paper insertion has also been in the local newspaper.

This Tribunal is satisfied that the names:- Bijoy Laksmi Sutradhar and Bijoy Laksmi Pal are the names of the same person, this applicant. Therefore, the Tribunal directs the respondent No. 3, General Manager, District Industries Centre, Howrah to pass a reasoned order on the basis of the documents submitted by the applicant before him in terms of his letter dated 26.02.2021 and in the light of the Tribunal's observation to

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the effect that both names are of the same person, widow of the deceased employee, Amal Krishna Pal and to process the family pension papers in her name and submit the same before the office of the Principal Accountant General (A&E) within 3 months from the date of communication of a copy of this order.

Accordingly, the application is disposed of.

BLR

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON AND MEMBER (A)